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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/440,148	11/15/1999	YIWEI THOMAS HOU	35400/PYL/F1	2594

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EXAMINER

EMDADI, KAMRAN

ART UNIT	PAPER NUMBER
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2667

DATE MAILED: 07/29/2003

8

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/440,148

Applicant(s)

HOU ET AL.

Examiner

Kamran Emdadi

Art Unit

2667

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 30 June 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☒ The proposed amendment(s) will not be entered because:
(a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ they raise the issue of new matter (see Note below);
(c) ☒ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. ☒ Applicant's reply has overcome the following rejection(s): 112 1st paragraph and the objection to claim 12.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☒ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: 12, 13, 25 and 27.

Claim(s) objected to: _____

Claim(s) rejected: 1-11, 14-24, 26 and 28-39.

Claim(s) withdrawn from consideration: _____

8. ☐ The proposed drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____

Continuation of 5. does NOT place the application in condition for allowance because: The Objection to claim 12 and the 112 1st paragraph rejection have been lifted and the following claims are allowable: 12, 13, 25 and 27, however, the arguments posed by the applicant regarding independent claims 1, 14, 17, 28, 34 and 37 are not persuasive. Regarding the applicant's arguments, the references made to "intranet" "LAN" and "WAN" by the applicant are all directed to overcome the de la Salle reference in combination with the Dobbins reference. The applicant has described the network 12 of (Figure 1) as "a number of discretely identifiable branch arrays" in order to overcome the "classic definition" of a LAN to "include a server component", however examiner believes that a LAN is a broad term that does not require an inclusive server component (example: bus network). The applicant has continued the argument that the "intranet" is a type of network not taught by the examiner's art references nor is an intranet taught by the further citations to references that use the term in describing a networking environment, the examiner traverses this argument by holding the definition of intranet to be broad and to include any of the interpretations presented to the applicant by the references cited in paper no. 5. as valid. The applicant has further argued that the specification on pages 4 and 5 describes the intranet as a "WAN or LAN" for a "business structure organization" which is something "more than merely just a group of computers networked together" the examiner would like to point out that the network of de la Salle does indeed include something more than merely computers networked together (See figure 1), furthermore de la Salle explicitly points out the sub-networks of figure 1 as "LANs" (Col 6, lines 7-9), thus equating the citation made by the applicant referring to an intranet on pages 4 and 5 of the specification tying an intranet to a LAN configuration ("intranet as a LAN or WAN"). All of the further arguments posed by the applicant refer to subsequent dependent claims and fall under an issue pertaining to the validity of the described terminology as clarified by the examiner above and are moot in view of the examiner's position to the independent claims.



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1/28/03